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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**J. SCOTT THREDE, LOUIS
FLOYD, SYLVIA SCHICK, and
MARIA SCHAFFER**, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

BRANDREP LLC, a Delaware limited
liability company,

Defendant.

Case No. 3:20-cv-05110-VC

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED PURSUANT
TO LOCAL RULE 3-12**

Pursuant to L.R. 3-3(c) and 3-12, Plaintiff Sylvia Schick (“Plaintiff”) files this administrative motion requesting that the Court consider whether the recently filed action *Al On Track Sliding Door Repair and Installation, Inc., et al. v. BrandRep, LLC*, Case No. 3:21-cv-03013-SI (N.D. Cal. filed April 26, 2021) (hereafter “pending action”), which is currently pending before the Honorable Susan Illston, should be related to the above-captioned case. In support of this motion, Plaintiff states as follows.

The pending action is simply the refiled above-captioned case, which was previously pending before the Honorable Vince Chhabria. Indeed, the parties to both actions are substantially

similar. That is, the pending action involves plaintiffs Sylvia Schick, A1 On Track¹, and BrandRep, LLC (“BrandRep”).² Additionally, the facts giving rise to the claims are substantially similar. That is, both actions stem from the same unlawful calls placed by BrandRep. (*Compare* Dkt. 1 ¶¶ 21-36, *with A1 On Track Sliding Door Repair and Installation, Inc., et al. v. BrandRep, LLC*, Case No. 3:21-cv-03013-SI (Dkt. 6 ¶¶ 21-36).) Ultimately, the above-captioned case was dismissed prior to BrandRep filing any response to the complaint. Thus, the risk of duplication of labor and expense or conflicting results if the cases were heard before different Judges is low.

Nevertheless, to ensure compliance with L.R. 3-3(c), Plaintiff respectfully requests that the Court consider whether the pending action should be related to the above-captioned case.

Respectfully submitted,

Dated: May 19, 2021

SYLVIA SCHICK,

By: /s/ Taylor T. Smith
One of Plaintiffs’ Attorneys

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¹ A1 On Track is an entity owned and operated by Louis Floyd. Floyd was incorrectly named in the previously filed action. Rather, A1 On Track was the actual owner and subscriber of the telephone numbers that received the calls at issue.

² Plaintiffs Threde’s and Shaffer’s claims were not included in the pending action.

CERTIFICATE OF SERVICE

I, Taylor T. Smith, hereby certify that on May 19, 2021, I served a true and accurate copy of the above titled document by first-class U.S. Mail, postage prepaid, and properly addressed to the following parties:

BrandRep, LLC
16812 Armstrong Avenue, Suite 200
Irvine, CA 92606

/s/ Taylor T. Smith